

Notice of Allowability

Application No.

10/551,719

Examiner

Tam Nguyen

Applicant(s)

CHAE, HEE-SEON

Art Unit

3764

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 1 and 3-5.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 7-24-06.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.


JEROME DONNELLY
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Yoon S. Ham on Monday, July 24, 2006.

1. The application has been amended as follows:

On Page 5, in line 31, delete "he planetary gear" and insert --the planetary gear--

Claim 2 is canceled.

In claim 1, on line 4, delete "a seat provided on the top of the rotary post;" and insert --a seat, adapted for a user to sit upon, provided on a top portion of the rotary post;--

In claim 1, on lines 7-8, delete "to turn in an opposite direction with each other" and insert --to turn in opposite directions relative to each other--

In claim 1, on lines 8-9, delete "and the handle is subjected to forcible rotation." and insert --or the handle is subjected to a rotational force, wherein the reverse rotator is provided with a sun gear affixed to the rotary post, a plurality of planetary gears rotatably mounted to the base in meshing engagement with the sun gear; and a ring gear fixedly secured to the handle in meshing engagement with the planetary gears.--

In claim 3, on line 2, delete "the user sat on" and insert --a user sitting on--

In claim 4, on line3, delete "the ankle of the user." And insert --a user's ankles.—

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance:

In view of the amendments and after further consideration of the invention, the claims as presented avoid the prior art of record. The prior art does not disclose a twisting exercise device having a rotatable post, a seat provided on top of the post for a user to sit upon, a handle operatively coupled to the post and a reverse rotating mechanism that causes the seat to rotate in one direction and the handle bars to rotate in the opposite direction when either the handle bars or the seat is subjected to a rotational force. In particular, the reverse rotating mechanism comprises a sun gear affixed to the rotary post, planetary gears affixed to the base in meshed engagement with the sun gear, and a ring gear fixedly secured to the handle in meshed engagement with the planetary gears such that the handle rotates about the rotary post while the seat rotate with the post in an opposite direction to the handle rotation direction.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Chuang '159 discloses a twisting exerciser having a seat fixed to a rotatable post that rotates in an opposite direction to a handle but the handle does not rotate about the post.

Liao '861 and Chen '552 each disclose twisting exercise devices having foot supports with rotatable seats and handles.

Johnston '841, Gilman '690 and Chuang' 657 each disclose twisting exercise devices for both the upper and lower body of a user.

Shih '262 discloses a twisting exercise device.

Lin' 610 disclose a chair having a handle and seat that allows for twisting exercise.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam Nguyen whose telephone number is 571-272-4979. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Huson can be reached on 571-272-4887. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

July 24, 2006



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